

Amy F. Sorenson, Esq.
Nevada Bar No. 12495
SNELL & WILMER L.L.P.
15 West South Temple, Suite 1200
Salt Lake City, UT 84101
Telephone: (801) 257-1900
Facsimile: (801) 257-1800
asorenson@swlaw.com

Kelly H. Dove, Esq.
Nevada Bar No. 10569
Gil Kahn, Esq.
Nevada Bar No. 14220
SNELL & WILMER L.L.P.
1700 South Pavilion Center Drive, Suite 700
Las Vegas, NV 89135
Telephone: (702) 784-5200
Facsimile: (702) 784-5252
kdove@swlaw.com
gkahn@swlaw.com

*Attorneys for Defendants Apartment Management
Consultants, LLC, and Rene Richardson*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA *ex rel.*
PEGGY THORNTON, Relator,

and

PEGGY THORNTON,

Plaintiff,

vs.

PORTOLA DEL SOL OPERATOR, LLC, a
foreign limited-liability company; TMIF II
PORTOLA, LLC, a foreign limited-liability
company; APARTMENT MANAGEMENT
CONSULTANTS, LLC, a foreign limited
liability company; and RENE
RICHARDSON, as AGENT of PORTOLA
DEL SOL OPERATOR, LLC,

Defendants.

Case No. 2:21-cv-01123-APG-BNW

**Stipulation and Order to Extend Deadline
for Defendants Apartment Management
Consultants, LLC and Rene Richardson to
Respond to the Second Amended
Complaint**

(Fifth Request)

1 Relator Peggy Thornton and Defendants Apartment Management Consultants, LLC and
2 Rene Richardson (collectively “AMC”), by and through their respective undersigned counsel,
3 hereby stipulate to extend AMC’s deadline to respond to Ms. Thornton’s Second Amended
4 Complaint (“SAC”), until two weeks after the Court decides Ms. Thornton and AMC’s
5 forthcoming joint motion to approve settlement.

6 1. Ms. Thornton filed her SAC on September 24, 2024. ECF No. 108.

7 2. Under FRCP 15, AMC’s response to the SAC was therefore due on October 8,
8 2024.

9 3. The Parties stipulated to grant AMC an additional three weeks to assess the SAC
10 given the multiple rounds of motion-to-dismiss briefing filed thus far and in light of AMC’s
11 counsels’ conflicting work travel. ECF No. 113.

12 4. The Parties subsequently stipulated to grant AMC additional time to respond to the
13 SAC due to unexpected scheduling conflicts. ECF No. 115.

14 5. Ms. Thornton and AMC engaged in settlement discussions during the intervening
15 period and received two extensions to AMC’s answering deadline to provide the United States
16 time to review the settlement offer, as required under the FCA. ECF Nos. 118-19; ECF
17 Nos. 125–26.

18 6. Ms. Thornton and AMC have agreed on a settlement amount, but as explained
19 immediately below, they require Court approval of the settlement.

20 7. As of this writing, the United States has *not* stated whether it has any objection to
21 the proposed settlement terms.

22 8. Although no objection is anticipated, Ms. Thornton and AMC will submit a joint
23 motion to the Court in the coming days, asking it to approve the settlement, which will provide
24 the United States an opportunity to object.

25 9. Because preventing AMC from expending additional attorney’s fees to respond to
26 the SAC during that period would be conducive to settlement, the Parties agree it is in their
27 mutual best interest and judicial economy to likewise extend that response until after the Court
28 decides the settlement motion.

Snell & Wilmer
 LAW OFFICES
 1700 South Pavilion Center Drive, Suite 700
 Las Vegas, Nevada 89135
 702.784.5200

10. The Parties request a two-week extension from the date of the Court's decision on their forthcoming settlement motion to accommodate the finalization and execution of a written settlement agreement.

11. If the Court approves the settlement, Ms. Thornton will dismiss her claims against AMC, with prejudice, thus mooted its need to respond to the SAC.

12. The Parties agree that this stipulation is entered into in good faith and will not unduly delay proceedings.

IT IS SO STIPULATED.

Dated: December 10, 2024.

Dated: December 10, 2024.

SNELL & WILMER L.L.P.

NEVADA LEGAL SERVICES

By: /s/ Gil Kahn
 Amy F. Sorenson, Esq.
 Nevada Bar No. 12495
 15 West South Temple, Suite 1200
 Salt Lake City, UT 84101

 Kelly H. Dove, Esq.
 Nevada Bar No. 10569
 Gil Kahn
 Nevada Bar No. 14220
 1700 South Pavilion Center Drive,
 Suite 700
 Las Vegas, NV 89135
 Telephone: (702) 784-5200

By: /s/ Elizabeth S. Carmona
 Kristopher Pre
 Nevada Bar. No. 14106
 Elizabeth S. Carmona
 Nevada Bar No. 14687
 530 South 6th Street
 Las Vegas, Nevada 89101

Attorneys for Relator

*Attorneys for Defendant Apartment
 Management Consultants, LLC and Rene
 Richardson*

ORDER

Good cause appearing, Ms. Thornton and AMC's stipulation is **GRANTED**. AMC's deadline to respond to the Second Amended Complaint is extended until two weeks after the Court decides the Parties' forthcoming motion to approval settlement.

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: 12/11/2024

Snell & Wilmer

LLP
LAW OFFICES
1700 South Pavilion Center Drive, Suite 700
Las Vegas, Nevada 89135
702.784.5200

CERTIFICATE OF SERVICE

I, the undersigned, declare under penalty of perjury, that I am over the age of eighteen (18) years, and I am not a party to, nor interested in, this action. On this date, I caused to be served a true and correct copy of the foregoing **Stipulation and Order to Extend Deadline for Defendants Apartment Management Consultants, LLC and Rene Richardson to Respond to the Second Amended Complaint (Fifth Request)** by method indicated below:

- ☐ **BY FAX:** by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m. pursuant to EDCR Rule 7.26(a). A printed transmission record is attached to the file copy of this document(s).
- ☐ **BY U.S. MAIL:** by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Las Vegas, Nevada addressed as set forth below.
- ☐ **BY OVERNIGHT MAIL:** by causing document(s) to be picked up by an overnight delivery service company for delivery to the addressee(s) on the next business day.
- ☐ **BY PERSONAL DELIVERY:** by causing personal delivery by, a messenger service with which this firm maintains an account, of the document(s) listed above to the person(s) at the address(es) set forth below.
- ☒ **BY ELECTRONIC SUBMISSION:** submitted to the above-entitled Court for electronic filing and service upon the Court's Service List for the above-referenced case.
- ☐ **BY EMAIL:** by emailing a PDF of the document listed above to the email addresses of the individual(s) listed below.

DATED December 10, 2024

/s/ Tiy Lewis
An employee of SNELL & WILMER L.L.P.

4876-6853-6055